

The Weather
Forecast: Rain tonight and Tuesday.
Moderate temperature.
Temperature.
Highest yesterday 55
Lowest this morning 43

MEDFORD MAIL TRIBUNE

Paid-Up Circulation
People who pay for their newspapers are the best prospects for the advertisers. A. B. C. circulation is paid up circulation. This newspaper is A. B. C.

Twenty-eighth Year

MEDFORD, OREGON, MONDAY, MARCH 27, 1933.

No. 4.

BANKS LODGED IN MEDFORD CELL

Comment
on the
Day's News
By FRANK JENKINS

CONGRESS, as you must have noted, has given President Roosevelt practically everything he has asked, even to the extent of a law giving to the President the power to reduce salaries of government employees, INCLUDING CONGRESSMEN.

Why has congress been so generous with its co-operation with President Roosevelt?

Well, patriotism is one answer. Since Roosevelt was inaugurated, the country has been face to face with first one crisis and then another, and in critical times men forget petty personal considerations and fight shoulder to shoulder for the common good.

THAT is one reason why it is true that when things get just so bad they begin to get better. They begin to get better because men forget their petty personal differences and begin to co-operate loyally for the good of the country as a whole.

If all of us co-operated loyally ALL THE TIME for the common good, things would never get quite so bad in the first place.

HERE is another reason why congress has been so ready in its co-operation with the President: All patronage is being withheld until President Roosevelt gets his program through the senate and the house.

WHAT does that mean?

Well, in theory, you know, the President appoints ALL the new officials. That is to say, the new President gives out all the new jobs.

But in actual PRACTICE he permits congressmen and senators to tell him WHOM to appoint in all but the more important instances. So it is the congressmen and senators who actually pass out the jobs.

But they can't do it unless the President is willing.

NOW you begin to get the idea. The President lets it be known that no jobs will be available until after he gets the legislation he wants. Senators and representatives are exceedingly anxious to give out jobs, because they have promised them. So they are in the best possible frame of mind to hasten along the legislation the President wants.

This man Roosevelt not only knows what he wants but he knows HOW TO GET IT.

THIS startling headline looms in the papers: "Fourteen Die As Plane Crashes Into House."

The house was in the outskirts of Oakland. The 14 who died were sitting unexpectantly in it, when suddenly the plane came hurtling down out of the skies, smashed through the wall, scattered gasoline right and left, there was an explosion and the house was instantly wrapped in flames. The 14 deaths followed.

OUR pioneer ancestors faced death from savages and wild beasts. We think of them as leading an exceedingly dangerous existence.

Probably if they came back and faced the manifold dangers of our time, such as automobiles that whirl along the highways and airplanes that come crashing down out of the skies, bringing death to unsuspecting people sitting in their own homes, they would be frightened within an inch of their lives and would long for the comparative safety of the plains and the forests.

HERE is a question that is being asked rather frequently in these days:

Should beer licenses be exceedingly high in price, so that the sale of beer will be confined to a few places, or should they be low in price, so that beer may be sold practically anywhere?

THIS writer, who may be wrong, and offers the opinion merely as his own, believes that if we are going to have beer we should put the most of the licenses low, so that beer may be sold on a strict commercial basis, just as milk and bread and eggs are sold.

Exceedingly high licenses have a tendency to confine the sale to a few places. In order to get back the high cost of the license, these places are inclined to take on other activities.

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FAMILY CONFAB
IS SLATED FOR
NAMING LAWYER

Accused Slayer of George Prescott Whisked From Grants Pass to Local Bastille Without Trouble.

Llewellyn A. Banks, ex-editor and orchardist, jointly indicted with his wife Edith R. Banks, for first degree murder for the slaying of Constable George J. Prescott, on the morning of March 16 last, was lodged in the county jail here shortly after 11 o'clock this morning.

The accused slayer was brought from Josephine county jail at Grants Pass, heavily manacled and under a state police guard. He was taken there on the day of the murder.

Has No Cell-Mate

Banks occupies a cell in the county jail almost directly over the court house steps, from where he preached agitation, and threatened revolution. In "protest meetings" he has no cellmate. The cell is large and commodious, but with no airway in the rear. The only means of communication is through the door window. No undue excitement accompanied Banks' return here. Few knew he was coming. Jailers said he was cool and normal and smoking the inevitable cigarette when marched by into the jail reception lobby. A regulation search was made and Banks placed in his cell. He saw no one but his keepers. His cell is away from the department where former aides accused of ballot robbery and criminal syndicates are kept.

His wife, who has not seen him since the murder, and Mrs. Henrietta B. Martin, president of the "Good Government congress" and chief side occupy cells in the women's ward a considerable distance away.

Family Affairs

Banks, his wife, and brother, W. A. Banks, and attorneys, expect to hold a family conference this afternoon. W. A. Banks told authorities that he would have to return at once to his business in California. At the conference it is expected that the legal matters retained. Attorneys T. J. Enright and H. Van Schmalz have been representing the Banks' to date. Joseph Hammerley of Portland, and Glenn R. Jack of Oregon City are update lawyers here. Jack, according to Oregon City information, came here Saturday afternoon by plane in response to a telephone call.

State police report that Banks on the trip from Grants Pass had little to say, but discussed the weather and other casual subjects with officers. He was whisked into this city by the Pacific high way, and down Main street to the court house. The state police followed the most direct route.

Arraignment Delayed

Arraignment of Banks and wife, and other indicted men for ballot theft is not expected until next week. There will be no judge on the local bench until next week.

The grand jury resumed sessions this morning and will probably be in session the entire week, probing other angles to the Prescott murder, the ballot robbery and the criminal syndicalism charges.

E. A. Fleming, Jacksonville orchardist, held in the county jail on an information charging first degree murder for the slaying of Constable Prescott is worried and has lost considerable weight. Fleming is also under indictment, reports say, for ballot stealing. Court house reports said he would be called before the grand jury some time this week.

Fleming, who was at the Banks home when the slaying occurred, was arrested when he attempted to flee by the back door. His family had vainly endeavored to keep him from the activities of the "Good Government Congress."

Ward Still Ill

Claude Ward, brother-in-law of Banks, indicted as one of the ballot stealers, is seriously ill at his home. It was reported this morning. He will not be arrested until his health is fully recovered. He is the only indicted man not in jail, or at liberty on bonds.

J. F. Westman, named receiver for the Suncrest Orchards, Inc., one of the Banks orchard holdings, has assumed charge. The Medford National bank holds a \$4500 mortgage against it, in process of foreclosure. A similar legal action is underway against the Banks home, where the Prescott murder took place.

No further action has been taken in the affidavit of prejudice filed against Judge W. M. Duncan by County Judge E. H. Fehl.

Technically Delayed

It automatically delayed the arraignment of Fehl to enter a plea. Last week Fehl filed a motion to quash the indictment against him, on the grounds that Judge Duncan had no authority to receive the indictment, and that the grand jury did not hold its sessions in the regular grand jury room.

Fehl contends that Judge Duncan was assigned here February 7, to hear the case of O. B. Waddell against L. A. Banks. The supreme court order directs him to hear this case, "and all other business of a judicial nature that may come before him, until further notice."

The district attorney's office holds that the indictment against Fehl is legal and valid, and the room in which it was prepared has no effect upon its legality or validity.

Federal Farm Credit Agencies
Under One Head by F. R. Order
STABILIZATION OPERATIONS BY BOARD AT END

WASHINGTON, March 27.—(AP)—President Roosevelt informed congress today of an executive order establishing all federal agriculture credit agencies under one unit.

In the same order, the president abolished stabilization operations by the farm board.

The new agricultural financial organization is to be known as "the credit administration" and will include the farm board, the farm loan bureau and various credit agencies in the department of agriculture and reconstruction finance corporation.

"A better coordination of the agencies involved in our agricultural credit system," the president wrote, "will produce a more uniform program for agricultural credit and will result in substantial economies.

"A saving of more than \$2,000,000 is the immediate effect of this order."

He emphasized the maintenance by the federal government of the policy of aid to the system of cooperative agriculture.

Henry Morgenthau, Jr., chairman of the farm board, who is expected to head the new government unit, was called into conference by the president later in the day.

DEPRESSION ENDS
WHEN ROOSEVELT
PLANS ADOPTED

WASHINGTON, March 27.—(AP)—Complete enactment of President Roosevelt's program by June is the aim of Speaker Rainey, who declared his belief today "the depression will end when that is accomplished."

Success so far, the speaker told newspapersmen at a conference, has been "due to tremendous—almost unanimous—popular support." "If the people will continue to support the president, I at least, will do everything I can to see that his plans become law," Rainey added.

The program of things yet to be done, he said, includes: Unemployment relief through reforestation and a permanent and broad plan yet to be completed, along with additional direct relief for the states.

Legislation to provide some kind of home and farm mortgage mortatorium.

In order that those Democrats may continue to work with the president, Rainey and the other party leaders have definitely discarded the practice of rushing legislation thru. Numbers of them talked with some new members who had shown signs of objecting to a continuation of past practices.

Because of the new order of things, Rainey said, "We can't keep on moving as fast as we have been." He added, "and since we can't, it likely will be impossible for us to adjourn congress by the first of May as we had contemplated."

CHAMBER GROUP
IN G. PASS VISIT

A delegation of about 20 members of the Medford Chamber of Commerce, including directors and committeemen, motored to Grants Pass today for the chamber of commerce forum, held at the Redwoods hotel.

The meeting in the climatic city was arranged for today to further cement the goodwill program undertaken by the local chamber. A united southern Oregon is the aim and all problems of interest to both cities and neighboring agricultural regions were considered.

Tacoma Mining
Man Dies Here

Frederick William Thorne, Tacoma mining man who had been here for the past two months, died Saturday night at a local hospital, following a brief illness. The body was shipped to Tacoma by the Perl Funeral home, for burial. Mrs. Thorne and son, who were here for a few days, returned to their home in the north.

BAKER, March 27.—(AP)—Michael House, prominent cattleman at this station, died at his home Sunday night of a heart attack. He apparently had been in good health up to the time of his death.

Back to Scene of Slaying

Llewellyn A. Banks, indicted with his wife for the slaying of Constable George J. Prescott, was returned today from Grants Pass where he has been lodged in jail immediately following the crime when sentiment here was at high heat.

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Federal Farm Credit Agencies
Under One Head by F. R. Order
HUGE SUM WAITS DISTRIBUTION IN FRUIT DISTRICTS

SPOKANE, Wash., March 27.—(AP) The Spokane loan agency of the Reconstruction Finance corporation revealed today it would advance from \$1,500,000 to \$2,000,000 to apple and winter pear growers in Washington, Idaho and Oregon an finance production of 1933 crops.

The R. F. C. agency commitment brings from \$10,000,000 to \$18,000,000 the sum pledged for financing 1933 production of fruit crops in three Pacific northwest states.

The Federal Intermediate Credit bank of Spokane has pledged about \$2,500,000 and is expected in authoritative sources here to pledge another \$500,000 to \$1,000,000. The Spokane Regional Agricultural Credit Corporation has announced a program under which it expects to loan from \$5,000,000 to \$10,000,000 to growers.

The advance of 55 cents a box will be made on a budget basis, so much for dormant spray, so much for calyx spray, for pruning, packing, and other operations, as the money is needed.

FAIR GOLD PANNER
ISSUES CHALLENGE FOR STATE TITLE

Mrs. Dale Sheley, who won first honors in the women's division of the panning contest, sponsored here Saturday by the Southern Oregon Mining association, has issued a challenge to any woman in Oregon for the state championship. It was announced today. The contest Saturday was attended by more than 1000 onlookers and six prizes were awarded. Three in the men's division and three in the women's division. Other prize winners were C. A. Ricketts, Raymond Pierce and J. H. Fredericks, in the men's division; Mrs. Beasie McCoochie and Mrs. H. C. Hansen in the women's division.

Mrs. McCoochie was winner of first prize in the first contest held here. The Mining Review of Salt Lake carried two references to the first contest and a full page front cover picture of the two winners.

Prizes for the contest were awarded by the merchants of Medford.

There were 20 contestants in Saturday's contest and five different gold saving devices were exhibited. Horace Bromley of the California Oregon Power company took motion pictures of the panners.

MURRAY SLAPPING
STORY AN ERROR

Tatough receipt of incorrect information last week, the Mail Tribune also regarding the circulation of the petition to retain in office Sheriff Gordon L. Schermerhorn, announced that Mrs. May Murray, as circulator of one of the petitions, got slapped when she called at a certain Medford home. Announcement was made today by friends of the family that it was not Mrs. Murray but her daughter, Effie who was circulating the petition, and who was slapped by one of the person upon whom she called.

The report of the incident brought to the newspaper, through a misunderstanding unfortunately named Mrs. Murray as the person involved.

seriously, but physicians said he probably would live.

Gross, who packed into 37 years of life an extensive study of the law, military service in France and Siberia during the world war and several years in the American diplomatic service, was reunited with his children and his parents at Palm Beach Saturday night.

Yesterday, they planned an automobile trip to Miami and were en route when the accident occurred.

C-G. CAMPAIGN TO OPEN IN MORNING

Everything is in readiness for the chamber of commerce financial campaign which will officially start with a breakfast at the Medford Hotel tomorrow morning in the word from M. R. Hogan, campaign chairman, today.

In connection with the campaign Mayor E. M. Wilson has issued the following statement:

"What the chamber of commerce means to a community is shown by its accomplishments. Working programs of the past have brought much to Medford and the Rogue River valley. What is to be done in the future, with activities of great importance now definitely outlined, depends upon the financial and moral support extended by every one of our citizens. May the campaign for funds be well supported."

(Signed) E. M. WILSON, Mayor.

CAKE BAKERS TO BE TOLD AWARDS

Tomorrow's issue of the Mail Tribune will carry the complete announcement and lists of awards in the cake baking contest which will be sponsored this week by the American Legion auxiliary. Lew Boyd, representative of the General Foods Corporation and A. M. Ashby of Swift & company are in Medford arranging for the participation of their companies in the unique contest which will test the skill of Rogue River valley housewives.

Both cash and merchandise awards will be featured and four six-piece cake sets will be included among the prizes. The cakes will be displayed in a prominent local store and sold by the Legion auxiliary members, the proceeds going to welfare activities of that organization, according to Mrs. K. D. Ross.

JAPAN NOTIFIES LEAGUE NATIONS OF WITHDRAWAL

Inability Or Unwillingness of Leaguers To Grasp Facts Of Sino-Jap Controversy Is Cited As Reason.

By GLENN BARR

TOKYO, Mar. 27.—(AP)—Japan formally ended today a membership of more than 13 years in the League of Nations.

The final action was taken by the privy council, meeting in the imperial palace, and the long-awaited decision was transmitted to Geneva with the approval of Emperor Hirohito.

A 700-word message to the league's headquarters asserted that inability or unwillingness of league members to grasp the facts involved in Japan's controversy with China over Manchuria's resulted in the league assembly's report a month ago condemning Japanese military activities in that territory. It said this report failed to contribute to the cause of peace which it called Japan's primary objective.

Islands Unmentioned

The message did not mention the South Pacific islands lying between the Philippines and Hawaii, former German possessions over which Japan was given mandates by the league. It was stated officially that Japan is determined to hold the islands and will continue to make the required annual reports to the league mandating commission. If any question

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ENGLAND, FRANCE MUST COOPERATE TO AVERT FIGHT

By JAMES McMULLIN (Copyrighted by McClure Newspaper Syndicate)

NEW YORK, Mar. 27.—The best informed observers here say that MacDonald's visit to Italy was more of a rush job than surface reports indicate. The objective is seen as a desperate effort to dissuade Mussolini from going along with Hitler. The mission is expected to prove futile.

New York is watching the European situation very attentively. This is the way it is sized up in high quarters:

The Polish Corridor is the most likely fuse, although friction between Italy and Yugoslavia also set off the first spark.

Mussolini's strategic position makes him the virtual master of Europe's immediate destiny.

France is not anxious for trouble but her relation with the Little Entente may get her in up to the ears.

Nazi militancy is expected to grow.

On the strongest and most skillful joint effort by England and France can avert a war.

A by-product of the situation will probably be a vigorous effort on France's part to regain American

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STILL EXPLOSION TRAPS OKLAHOMA FAMILY IN SLEEP

FARGO, Okla., March 27.—(AP)—The explosion of a gasoline stove, burning under a small whiskey still, took six lives in a small farmhouse near here late Saturday.

Trapped in their sleep, most of the victims perished before they could struggle from their beds. A seventh member of the family is expected to die of burns.

The dead: Nick Smith, 60; Mrs. Nick Smith, 53; Mrs. Marie Steinmetz, a married daughter, 25; Mrs. Roy Smith, daughter-in-law, 24; Jack Smith, two-months old child of Mrs. Roy Smith; and Donald Roy Smith, her two-year-old son.

The 2-year-old boy died in a Woodward hospital where his father, Roy Smith, lay at the point of death. The father, who seized Donald, rushed through the flames and jumped into his automobile.

"I'm going to die and I might as well tell you the truth," he told a physician. "I had a still in the house and it blew up. I was trying to make a living to keep from starving to death."

SCHERMERHORN'S CUSTER DECISION WEEK OR 10 DAYS

Judge Duncan To Study Evidence Given At Hearing For Findings To Be Submitted to Governor Meier.

It will be a week or ten days before Governor Julius L. Meier may be expected to render a decision in the case of Deputy Sheriff Gordon L. Schermerhorn. Testimony in the proceedings was finished late Saturday. Circuit Judge W. M. Duncan of Klatsk county, who heard the evidence, said he would require a couple of days in which to study and prepare his findings. They will be sent directly to the governor.

Sensational Testimony

The hearing lasted two days, and sensational and damaging testimony was divulged. Salient points in the hearing revealed that:

Chief Deputy Philip B. Lownd had loaned his Hudson sedan to Arthur LeDieu and Wesley McKittrick, under indictment for ballot-stealing, shortly after midnight of the night the ballots were stolen; the testimony was given by Deputy District Attorney George W. Nelson, and corroborated by Lownd himself. Only part of the statements was revealed in court.

That Sheriff Schermerhorn's appointments were handed picked by County Judge Fehl, and sworn in at his home, on the morning of January 2 last. The appointments were: John S. Glenn, former county jailer, under indictment; Clark Thomas, deputy jailer, who resigned Saturday night; and Amos W. Walker, who remained a week ago, as probation officer, working out of the county judge's office. Lownd, the other appointee, is still on duty.

Solitude for Banks

That Deputy Lownd wrote a letter to L. A. Banks, asking when he could serve a warrant for criminal libel, and arranging for the presentation of Banks to the justice court in Ashland, following a "Congress assembly" at the Armory, where Banks was a speaker.

That Banks had called Schermerhorn to his home, and proposed that the official "name 50, 100 or 1500 dollars to take over Jackson county." This was on Monday, March 13, three days before the slaying of Constable Prescott.

That Sheriff Schermerhorn had been "soliloquous" of the return of newspaper seized in Banks' paper, had maintained an "attitude of encouragement" to the "Banks guards," had ignored three messages by them, and had taken no action to keep the courthouse corridors clear, or act to suppress seditious talk in the courthouse and auditorium.

Fehl Also Regarded Highly

That Sheriff Schermerhorn had shown reluctance to serve a legal process on the salary of County Judge Fehl, and had gone into conference with Fehl following its issuance.

That there was evidence to show that Sheriff Schermerhorn had been under the dictation and domination of Banks and Fehl.

That the sheriff had assisted in moving furniture into the Pacific Hotel, and that it had been taken from the Banks paper, when Banks was dispossessed on a court order.

That Banks-Fehl menchen had eaten frequently at the county jail, when not inmates of the jail.

That Sheriff Schermerhorn's bond was approved only by County Judge Fehl, and not the other commissioners.

Claim Unfitness Shown

The state attempted to show that Sheriff Schermerhorn was unfit for the position, and charged that he had shown favoritism to "Congressmen" and had "obstructed justice."

The state also showed by testimony of the district attorney and the police that under Schermerhorn's rule "conditions were unsatisfactory in the county jail."

In defense, the sheriff presented testimony to show:

That the service of the criminal libel warrant upon stanks was made as soon as possible after he received it.

That he did not know of the existence of the letter written to Banks by L's deputy until its introduction in court.

That he had conducted an unusually large volume of business through his office, and his chief legal deputy, Ole Anderson, testified the office had been conducted as efficiently as the two previous administrations.

Fehl Ordered Meals

That "outlets" eating in the county jail had been upon the orders of the county judge, E. H. Fehl.

That he acted under the orders of the county court, and that it was at his suggestion that the halls of the courthouse be kept clear.

Thus deputies attending the "Good Government Congress" meet had reported to him "everything was orderly and nothing said out of the way."

That he bore a good reputation in the county, and that he agreed to the appointment of a new jailer, and to step aside for 30 days, but afterwards changed his mind because I guilty of no wrong, and have done my best."